

HOUSE BILL 596  
By Maddox

AN ACT to amend Tennessee Code Annotated, Title 68, relative to rehabilitation of existing buildings and structures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 120, Part 1, is amended by adding the following as a new, appropriately designated section:

68-120-1\_\_.

(a) The general assembly finds that:

(1) There is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing;

(2) There are large numbers of older residential buildings in the state, both occupied and vacant, which are in urgent need of rehabilitation and which must be rehabilitated if the state's citizens are to be housed in decent, sound, and sanitary conditions;

(3) The application of those building code requirements currently in force to housing rehabilitation has led to the imposition of costly and time-consuming

requirements which result in a significant reduction in the amount of rehabilitation activity taking place;

(4) Extensive research has taken place in other states which can serve as a sound basis for the development and adoption of a building code specifically designed to foster cost-effective housing rehabilitation while ensuring that necessary health and safety requirements are met; and

(5) In addition to the need for prudent modification of code provisions applicable to rehabilitation of older housing structures, it appears that complaints have been made that the scope and rigidity of the existing state building code, as currently adopted and applied, may impose excessively stringent and onerous requirements that burden the provision of affordable housing with commensurate expenses without any benefit to the public health, safety and welfare.

(b) The state fire marshal shall investigate and consult with individuals and organizations experienced in the rehabilitation of low and moderate incoming housing in Tennessee and conduct research as may be relevant to the purposes of this act.

(c) The state fire marshal is directed to study the desirability of authorizing a procedure under which, in adopting a code designed to foster housing rehabilitation, discretion may be accorded to the state fire marshal to modify, amplify or otherwise depart from any existing code provisions for the purpose of accommodating this state's building code to the needs of the state, particularly with respect to encouraging the provision of housing affordable to persons and families of low and moderate income.

(d) The state fire marshal shall make a written report to the general assembly by January 31, 2002 based on the marshal's findings pursuant to subsections (b) and (c) and make recommendations for further legislative action if necessary.

(e) Notwithstanding any provision of law to the contrary, by July 1, 2002, the state fire marshal shall, in accordance with the Uniform Administrative Procedures Act,

compiled in Title 4, Chapter 5, promulgate rules establishing a building code specifically designed to foster cost-effective housing rehabilitation, while ensuring through its provisions that necessary health and safety requirements are met. Such code shall be constructed based on the state fire marshal's report pursuant to subsection (d) and may be supplemental to the state's current building code.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.